they are deprived of his society and any care and consideration he might take of them, or have for them during his life."

The loss of the society or companionship of a son is a deprivation not to be measured by any money standard. It is not a pecuniary loss under such a statute as this.

Laying out of consideration the indefiniteness of the term "care and consideration," as elements in addition to the loss and damage of such pecuniary assistance as the parents of the decedent might have reasonably anticipated from their son, it is enough for the purpose of this case to say that there was no allegation of any such loss, nor any evidence relating to the subject, or from which its pecuniary value might have been estimated. The scope of the compensation recoverable under this statute has been so fully considered in *Michigan Central Railroad* v. *Vreeland*, *ante*, p. 59, that we need not say more.

The other assignments of error we pass by without decision. None of them are of either general importance or such as are likely to arise upon a new trial.

Reversed and remanded for a new trial.

MR. JUSTICE HOLMES concurs in the result.

AMERICAN RAILROAD COMPANY OF PORTO RICO v. DIDRICKSEN.

ERROR TO THE DISTRICT COURT OF THE UNITED STATES FOR PORTO RICO.

No. 72. Submitted December 6, 1912.—Decided January 27, 1913.

Where the plaintiffs in an action under the Employers' Liability Act are the sole beneficiaries under the statute, a general verdict in their favor, without instructions on this point, overcomes the objection of lack of capacity to sue.